

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

KYMBERLY BECK,

Plaintiff

v.

C-1-10-398

COMMISSIONER OF
SOCIAL SECURITY,

Defendant

ORDER

This matter is before the Court upon the Report and Recommendation of the United States Magistrate (doc. no. 29) granting plaintiff's Motion for Approval of Attorney Fees (doc. no. 25) under the Equal Access to Justice Act ("EAJA") to which there are no objections.

Upon a *de novo* review of the record, the Court finds that the Magistrate Judge has accurately set forth the controlling principles of law and properly applied them to the particular facts of this case and agrees with the recommendation of the Magistrate Judge.

Accordingly, the Court hereby ADOPTS AND INCORPORATES HEREIN BY REFERENCE the Report and Recommendation of the United States Magistrate Judge (doc. no. 19). Plaintiff's Motion for Approval of Attorney Fees (doc. no. 25) is GRANTED and counsel shall be awarded \$25,750.00 which represents the \$30,000.00 fee award under 42 U.S.C. § 406(b)(1)(A), less \$4,250.00 in EAJA fees already awarded to counsel. The defendant shall pay plaintiff the amount of \$25,750.00 in attorney fees and costs which will satisfy all of plaintiff's claims for fees, costs and expenses under the EAJA, 28 U.S.C. § 2412.

IT IS SO ORDERED.

s/Herman J. Weber
Herman J. Weber, Senior Judge
United States District Court